

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Michael Hanson

v.

Case No. 11-cv-534-SM

Superintendent, Rockingham County
Department of Corrections, et al.

O R D E R

After due consideration of the objection filed, I herewith approve the Report and Recommendation of Magistrate Judge Landya B. McCafferty dated September 4, 2012. Petitioner may, if he wishes, file a motion seeking leave to amend his complaint by stating facts sufficient to state cognizable causes of action as permitted by the applicable rules of civil procedure. But on the pleadings filed to date, construed liberally and in Plaintiff's favor, the Magistrate Judge has correctly assessed his allegations. "[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal." School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v.

Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

The claims asserted and the defendants named in the allegations set forth in the motion to amend the complaint (doc. no. 39) are dismissed, except for a Fourth Amendment claim relating to the visual body cavity inspection, asserted against C.O. Lennon. All of the claims asserted, and defendants named, in the original complaint (doc. nos. 1 and 8), with the exception of the strip search claim against C.O. Haseltine, are hereby dismissed.

SO ORDERED.

October 16, 2012



Steven J. McAuliffe
United States District Judge

cc: Michael Hansen, pro se
Corey M. Belobrow, Esq.